

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-11 and 14-22 are pending, Claims 1, 10, 14, 16, 19 and 22 having been amended by way of the present amendment.

In the outstanding Office Action, Claims 1-11 and 14-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of Ashley et al. (U.S. Patent No. 6,584,273, hereinafter “Ashley”).

In reply, paragraph 3 of the outstanding Office Action explains why the Office rejected Applicant’s earlier arguments. In particular, paragraph 3 of the Office Action indicates that Ashley was not relied on to teach all the elements of Claim 1, but rather relies on Ashley for the purpose of showing that “only data in the STD buffer comes from a new sequence”, and on this assertion the Office Action concludes that although not explicit, Ashley has enough capacity to buffer the audio data corresponding to the time required for inputting the “new sequence”.

Applicant recognizes, as does the Office, that Ashley does not disclose all the elements of Claim 1. Furthermore, the purpose of explaining that the “audio buffer having the capacity capable of buffering the audio data corresponding to the time required for inputting this second picture to the video buffer” is based on the earlier recognition that the source packets are outputted according to the arrival time stamp of the multiplex stream, which is a feature that is absent in both the asserted prior art and Ashley. This feature is deserving of further discussion.

Neither the admitted prior art nor Ashley recognize what the present inventors’ recognized that between the time period where the input of the last video packet (time period T1) and the input of the last byte of remaining packets of a first packet stream (time T2), in

conventional systems, the arrival time stamp of the source packet is ignored. Ashley also disregards the arrival time stamps during this time period. This can be seen at column 10, lines 12-13, where during the time period T1-T2 the remaining packets of the last bytes at the last video packet enter the STD at a multiplex rate of SEQ.1. Thus, Ashley processes these packets during this time frame in the same way as done with the admitted prior art.

Applicants' recognized that there is a problem with conventional systems that requires additional buffer memory than what is necessary (see, e.g., paragraph [0001] at page 33 of the present specification). In the nonlimiting example of Figure 9, a timing chart shows the processing shift between a first transport stream TS1, and a second transport stream TS2, seamlessly connected to the AV stream TS1. The transport stream is input to the buffer at a maximum rate of TS and an input of the source packet between the times T1 and T2 is determined by an arrival time stamp (see, e.g., page 33 of the source packets of TS1). This approach eliminates an additional buffer memory corresponding to one second that has been conventionally required in both Ashley (see col. 10, lines 30-31) and the admitted prior art (specification page 33) for inputting the transport packet at the maximum bit rate. As a consequence, it is possible for the audio buffer size to be reduced to one being capable of 100 milliseconds of additional memory (page 42, last paragraph, continuing to page 43).

Claim 1, for example, has been amended to amplify this point and require that the output means continue to output the source packets according to the arrival time stamp between the time T1 at which a last video packet of the first picture of the first multiplex stream and the time T2 at which a last byte is input of remaining packets of the first multiplex stream, as claimed. Nonlimiting support is found in Figure 9, for example, and at page 33, line 11 to page 34, line 8. Therefore, no new matter is added.

The admitted prior art was described as not having this feature (page 4, lines 14-15). Ashley also does not have this feature as would be recognized at the description at column

10, lines 12-13, where Ashley describes that during the time period T1-T2 the remaining packets of the last video packet enter the STD at a multiplex rate of SEQ.1.

Because neither the admitted prior art nor Ashley disclose all the elements of amended Claim 1, it is respectfully submitted that amended Claim 1 patentably defines over the asserted prior art. As each of the other independent claims has been amended in a consistent fashion, it is respectfully submitted that Claims 2-11 and 14-22, as amended, also patentably define over the asserted prior art for substantially the same reasons discussed above with regard to amended Claim 1.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-11 and 14-22, as amended, patentably define over the asserted prior art. The present application is therefore believed to be in condition for formal allowance.

Respectfully submitted,

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